

## **ADVISORY OPINION 1999-002**

**Any advisory opinion rendered by the Registry under subsections (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is rendered. KRS 121.135(4).**

February 11, 1999

Rep. Ira E. Branham  
331 Main Street  
P.O. Box 1499  
Pikeville, Kentucky 41502

Dear Rep. Branham:

This is in response to your letter, received by the Registry on January 12, 1999, requesting an advisory opinion regarding charitable gifts. You state that you are a partner in the law firm of Branham & Carter, P.S.C. and the elected state representative for the 94th District of Kentucky. Your firm wishes to make a gift of a scholarship to each of the high schools within the legislative district that you represent. The recipient of each scholarship will be decided by the schools. You ask whether the gift of scholarships by your law firm would violate election finance laws.

KRS 121.150(2) prohibits campaign committees, political issues committees, permanent committees, and party executive committees from contributing to or soliciting from charities. However, this statute does not prohibit the candidate from making personal contributions. KRS 121.150(2); see also, KREF Advisory Opinion 93-005.

Therefore, KRS 121.150(2) would permit you to contribute, individually or through your partnership, to support charitable scholarships to high schools.

We would suggest that you contact the Kentucky Legislative Ethics Commission regarding the application of ethics regulations to this transaction, as advisory opinions of the Registry are limited to the application of KRS Chapter 121 and 121A.

Rep. Ira E. Branham  
February 11, 1999  
AO 99-002  
Page 2

If you have any further questions, please do not hesitate to contact the Registry staff.

Sincerely,

Rosemary F. Center  
General Counsel

RFC/jh